

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI

LARRY BRADFORD BULLOCK,	)	
	)	
Petitioner,	)	
	)	
v.	)	No. 4:16CV936 RLW
	)	
UNITED STATES OF AMERICA,	)	
	)	
Respondent.	)	

**MOTION FOR EXTENSION OF TIME TO FILE OBJECTIONS TO RE-SENTENCING  
REPORT AND TO FILE MEMORANDUM IN SUPPORT OF MOTION TO VACATE  
SENTENCE UNDER 28 U.S.C. § 2255**

Comes now petitioner, Larry Bullock and through Counsel, Nanci McCarthy and respectfully requests an additional time, up to and including October 21, 2016, to file Objections to the Re-sentencing Report and to file a Brief in Support of his Motion to Vacate his sentence. Thereafter, the government will have sufficient information by which to determine how to file a Response to Mr. Bullock's pending Motion to Vacate under 28 U.S.C. § 2255. In support of this request the following is stated:

1. On June 22, 2016, Mr. Bullock, with the assistance of counsel, filed a Motion to Vacate, Set Aside or Correct Sentence imposed in Cause No. 4:03CR198, pursuant to 28 U.S.C. § 2255. This Motion was based on *Johnson v. United States*, 135 S. Ct. 2551 (2015). Counsel requested leave to supplement the Motion to Vacate with a Memorandum in Support or legal brief within 45 days thereafter (on or before August 5, 2016). Doc. #1.
2. On June 23, 2016, this Court entered its Order directing the United States Probation Office to prepare a Resentence Report regarding this case within a reasonable amount of time and within 14 days of the filing of the Disclosure Copy of that Report, Counsel for Mr. Bullock and the

government were to file notice of any objections to the report. Once the objections were filed and a final Re-sentence Report was prepared, the government was to file a Response to Mr.

Bullock's Motion to Vacate to which Mr. Bullock could respond within 14 days. Additionally, the Court granted Mr. Bullock's counsel an additional 45 days within which to file a pleading in support of the Motion to Vacate. Doc. #2.

3. Due to the press of other cases, Counsel for Mr. Bullock inadvertently did not file an objection to the Disclosure Report (filed on August 3, 2016) or the Final Report (filed on August 24, 2016) in Cause No. 4:03CR198 RLW, the criminal file in this case. Counsel also did not complete the research and writing of a Brief to supplement Mr. Bullock's Motion to Vacate by August 5, 2016.
4. Counsel has recently been out of the office on sick leave and has been unable to complete the work necessary to file the required pleadings.
5. Counsel expects to return from leave within the next few days and will need additional time to secure the documents regarding Mr. Bullock's relevant prior convictions, conduct the research needed to fully brief the issues in this case, and to prepare proper Objections to the Re-sentencing Report. Counsel is also seeking research assistance so that no additional time will be needed to comply with the Court's Order.

WHEREFORE, it is respectfully requested that this Court allow counsel for Mr. Bullock to have additional time, up to and including October 21, 2016, to file Objections to the Re-sentencing Report and a Brief in Support of his Motion to Vacate his sentence.

Respectfully submitted,

/s/Nanci H. McCarthy

Nanci McCarthy

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 4, 2016, I transmitted the foregoing Petition using the CM/ECF system, to the following ECF registrants:

Clerk of Court  
Thomas Eagleton U.S. Courthouse  
111 N. 10<sup>th</sup> Street  
Saint Louis, MO. 63102

AUSA Tiffany Becker  
111 N. 10<sup>th</sup> Street, 20<sup>th</sup> Floor  
St. Louis, MO. 63102

Copy mailed to:  
Mr. Larry Bullock  
Reg. No. 29922-044  
FCI Ashland  
Federal Correctional Institution  
P.O. Box 6001  
Ashland, KY 41105

/s/Nanci H. McCarthy  
Nanci H. McCarthy  
Assistant Federal Public Defender